

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**VERMONT MUTUAL INSURANCE CO.,  
ET AL  
Plaintiffs,**

**V**

**CA 05-10307-JLT**

**DAVID'S FLOOR SERVICE, INC.  
ET AL,  
Defendants.**

**SETTLEMENT ORDER OF DISMISSAL**

**TAURO, D.J.**

The court having been advised on November 6, 2007 by counsel for the parties that the above action has been settled: **IT IS ORDERED** that this action is hereby dismissed without prejudice to reconsideration and possible re-opening if within 60 days of this order a motion is filed which represents that the terms of the settlement agreement have not been performed and there is good cause for the non-performing party or parties to have failed to perform.

**Zita Lovett  
/s/**

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**Deputy Clerk**

**November 20, 2007**